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09/780,229	02/09/2001	Richard Bryan Sagar	US 018001	8172

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EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

DATE MAILED: 04/05/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/780,229

Applicant(s)

SAGAR, RICHARD BRYAN

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed on 1/12/04.

This action is final.

2. Claims 1-16 are pending in this application. Claims 1, 8, 10, 11, 13, and 16 are independent claims. In the Amendment, filed on 1/12/04, claims 1, 2, 8, and 10-13 are amended, and claim 6 is added.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5, and 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Little et al. (US 6,204,846).

As per claim 1, Little et al. teaches a data processing apparatus having a user interface assisting in searching for information from an ordered list in a data array (col. 3, line 5-25), the apparatus comprising:

an array scroller responsive to user actuation (col. 3, lines 25-35); and

Art Unit: 2174

a helper character-generator, actuated by continued user actuation of the array scroller, the helper character generator being operative to display a helper character representative of a searching portion(Fig. 13, item 158) in the list and of at least some of the information corresponding to the searching position (Fig 7, item 156, col. 9 lines 30-56; Examiner infers to the “Showing 38-63 of 100” to be representative of a portion in the list being scrolled).

As per claim 2, Little et al. teaches the data processing apparatus of claim 1 wherein, the helper character shows additional helper characters by deactivating the array scroller, then reactivating the array scroller (col. 9, lines 18-29; Examiner infers to the fact that different status popup windows are shown during user interaction with the scroll bar to be showing additional helper characters).

As per claim 3, Little et al. teaches the computing apparatus of claim 1 wherein, the helper character display corresponds to a location on a GUI display (Fig 7, item 156, col. 9 lines 30-56).

As per claim 5, Little et al. teaches the apparatus of claim 4 wherein the item is selected from at least one of the following: alpha-numerical characters, pictographs, letters in a name, prefixes in telephone numbers (Fig 7, item 156, col. 9, lines 18-29).

As per claim 8, it is rejected under the same rationale as claim 1. (see rejection above)

As per claim 9, Little et al. teaches the method of claim 8, wherein the data processing environment comprises a distributed environment (col. 5, lines 9-24; Examiner infers to a network environment to be a distributed environment).

As per claim 10, Little et al. teaches software for being installed on an information processing apparatus, wherein the software renders the apparatus operative to display a helper

Art Unit: 2174

character representative of a searching position of an ordered list and of at least some of the information corresponding to the searching position currently being scrolled in response to a user interacting with the apparatus client (Fig 7, item 156, col. 9 lines 30-56).

As per claim 11, Little et al. teaches a service supplied in a client-server configuration, wherein:

the server provides user-access to an ordered list of information items (col. 5, lines 9-31); and

the client is enabled to interact with the server, the server controlling the client to display a helper character representative of a searching portion of the list and of at least some of the information corresponding to the searching position currently being searched at the client (Fig 7, item 156, col. 9 lines 30-56; Examiner infers to the "Showing 38-63 of 100" to be representative of a portion in the list being scrolled).

As per claim 12, Little et al. teaches the network service of claim 11, wherein the client comprises at least one of the following: a handheld device, a desktop computer, a laptop computer, a wireless telephone handset, a portable media playing device, cell phone (col. 5, lines 1-23).

As per claim 13, it is rejected with same rationale as claim 1. (see rejection above)

As per claim 14, Little teaches the information storage medium of claim 13 wherein the ordered list comprises at least one of the following: a sequence of alpha-numeric characters, a sequence of pictographs, a sequence of images, a sequence of sounds (Fig 7, item 156, col. 9 lines 30-56).

As per claim 16, it is rejected with same rationale as claim 1. (see rejection above)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Little et al. (US 6,204,846) in view of Mugura et al. (US 5,977,975).

As per claim 4, Little et al. teaches the apparatus of claim 1. However he fails to teach comprising at least one of the following. a handheld device, a mobile telephone, an Internet-enable device with a browser. Mugura et al. teaches an apparatus comprising at least one of the following. a handheld device, a mobile telephone, an Internet-enable device with a browser. It would have been obvious to an artisan at the time of the invention to include Mugura et al.'s teaching with Little et al.'s apparatus in order to allow user to manipulate GUI display on a handheld device.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Little et al. (US 6,204,846) in view of Gibb et al. (US 6,225,996).

As per claim 6, Little et al. teaches the apparatus of claim 1. However he fails to teach wherein the list is multi-dimensional. Gibb et al. teaches an apparatus wherein the list is multi-dimensional (fig 6, items: the horizontal scroll bar, and the vertical scroll bar). It would have

Art Unit: 2174

been obvious to an artisan at the time of the invention to include Gibb et al.'s teaching with Little et al.'s apparatus in order to display records that are saved in spreadsheet format.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Little et al. (US 6,204,846) in view of Xia et al. (US 6,252,594).

As per claim 7, Little et al. teaches the apparatus of claim 1. However he fails to teach wherein the helper character-generator renders a helper character comprising at least one of the following: audio feedback, video feedback, tactile feedback. Xia et al. teaches a apparatus wherein the helper character-generator renders a helper character comprising at least one of the following: audio feedback, video feedback, tactile feedback (abstract). It would have been obvious to an artisan at the time of the invention to include Xia et al.'s teaching with Little et al.'s apparatus in order to further remind the/ user the page number of the current page.

As per claim 15, which is dependent on claim 14, it is of the same scope as claim 7. (see rejection above)

### ***Response to Argument***

Applicant's arguments filed on 1/12/04 have been fully considered but they are not persuasive.

Applicant's argument focused on the following issue:

A) Little fails to teach using a helper character as a representative of a portion in the list corresponding to the searching position.

Examiner disagrees

Art Unit: 2174

A) Little teaches displaying an arrangement of numbers as a representative of a portion of the list corresponding to the searching position (Fig. 7, item 156). These numbers represent the searching position, because they provide users with an indication as how to narrow their search.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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